

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS
5 TO CONSTRUCT A METAL MESH STAIRCASE AND PULLEY APPARATUS AT BRIDGE CROSSINGS WHERE
6 A STREAM ACCESS CONFLICT HAS OCCURRED IN ORDER TO FACILITATE RECREATIONAL USE; AND
7 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 NEW SECTION. **Section 1. Construction of stream access structure at certain bridges.** (1) If the
12 department receives notice that a conflict has occurred between a landowner and a recreationist regarding stream
13 access at a bridge that crosses surface water that is capable of recreational use, the department shall construct
14 a metal mesh staircase and pulley apparatus from the bridge railing to the ordinary high-water mark in order to
15 facilitate recreational use.

16 (2) The department may use any available fish management project funds to construct and install the
17 recreational access structure required in subsection (1). The structure must be built, installed, and maintained
18 at no cost to the landowner, and recreationists who use the structure may not be charged a user fee.

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20 NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an
21 integral part of Title 23, chapter 2, part 3, and the provisions of Title 23, chapter 2, part 3, apply to [section 1].

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23 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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